IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JAMES MCELROY, : Civil Action No. 09-5475 (TMG)

Plaintiff :

JURY TRIAL DEMANDED

V.

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FIVE STAR INTERNATIONAL, LLC., : JOHN A. SCHELER, :

FRED P. SCHELER, : AND PETER F. SCHELER :

CERTIFICATE OF NON-CONCURRENCE

I, William E. Denger, Esquire, do hereby certify that Plaintiff's counsel was contacted in this matter to determine whether or not she concurs or does not concur in this Motion for Summary Judgment Plaintiff does not concur.

HENDRZAK & LLOYD

/s/ William E. Dengler

WILLIAM E. DENGLER, ESQUIRE

Attorney for Defendant Five Star

International LLC. John A. Scheler, Fred P. Scheler,

and Peter F. Scheler

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Dated: 12/1/10